

JAN 06 2005

Application No. 10/1029,055
 Amendment "B" dated January 6, 2005
 Reply to Office Action mailed December 17, 2004

REMARKS

The first Office Action, mailed December 17, 2004, considered claims 1-34. Claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Throckmorton (U.S. Patent No. 5,818,441) in view of Change (U.S. Patent No. 6,035,324) and further in view of Thompson (U.S. Patent No. 5,961,602). Applicants note, however, that claim 1 was previously cancelled in the preliminary amendment filed on January 6, 2003. Accordingly, the rejections made to claim 1 are moot and will not be addressed on their merits.

The remaining claims 2-34 were rejected solely under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 and 22-32 of U.S. Patent No. 6,330,719 to Zigmund¹. In this regard, Applicants have filed an appropriate terminal disclaimer corresponding to Zigmund and therefore respectfully request that the obviousness-double patenting rejections be withdrawn.

Inasmuch as this resolves all of the rejections of record, Applicants respectfully submit that the pending application is now in condition for immediate allowance. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 6 day of January, 2005.

Respectfully submitted,

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¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.